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the nullification debates of 1830 and 1833 are summarized. Here the legal problems of constitutional interpretation are handled with a freedom not elsewhere observed.

In the brief narrative paragraphs no mistakes of any consequence have been noted, but there is nothing original in them, nor indeed is there in the whole book, unless it be a certain unusual freedom from sectional bias on the author's part. He differs from nearly all his predecessors and contemporaries, northern and southern, in condemning no one for his opinions. On the contrary he bestows praise upon all, reserving his nearest approaches to severity for Webster, Clay and Calhoun. In fact, this uniform laudation gives the work a curiously old-fashioned, high-polite air, which persists in spite of the presence of occasional words like "brainiest." No one of the political worthies of those days fails to receive due salutation. The membership of every Congress, convention or legislature is "eminent," "distinguished," or "illustrious"; speeches are invariably "logical and ingenious," "learned and argumentative," "notable," "subtle," "long and luminous," "elegant and impassioned," "powerful," or "tremendous." Yet if the book is to be welcomed for any one feature it is for holding such an appreciative attitude toward Lowndes, Hayne, McDuffie, Forsyth, Mallary, Cambrelong, Lawrence and others who, as the author says in the preface, "have seldom received their dues from historians." The men who did the real work in the earlier Congresses are by no means always those whose names appear most frequently in the pages of later writers. This feature apart, the book is in reality not so much history as a digest or summary of part of the material for the history of the tariff controversy.

T. C. SMITH.

*The Life of Charles Robinson, the First State Governor of Kansas.*

By FRANK W. BLACKMAR. (Topeka, Kansas: Crane and Co. 1902. Pp. 438.)

THE controversies over the early history of Kansas have revolved mainly about three men—John Brown, General Lane and Governor Robinson. The biographers of Brown were early in the field, Redpath being the pioneer among them with his sensational book published in 1860. Though newspaper sketches, like the rather interesting screeds of "Kicking-Bird," in *The Kansas City Times*, were not wanting, no formal life of Lane appeared until 1896, while that of Robinson was delayed until 1902.

Perhaps it would be hazardous to say that these Kansas controversies have been practically settled by the investigations and discussions of the last two decades, but certain points seem to be fairly established. It is evident that John Brown, who went to Kansas for the avowed purpose of fomenting the disturbances and precipitating a collision between the North and South, hindered the free-state movement in the territory, quite as much as he helped it; that Lane, with all his brilliant and attractive qualities, was rash and unscrupulous, and that Robinson repre-

sented the more conservative type among the Northern settlers—the men who would fight if attacked, but proposed to settle the territorial difficulties at the polls and finally carried their point.

Professor Blackmar's book appears, then, after the fierceness of the old controversies has abated, though the crude blackguardism which was often a conspicuous characteristic of them is not yet wholly extinct. This work certainly ought not to revive the quiescent feuds, as it is notably moderate and judicial in temper. The writer has endeavored, and with a good degree of success, to render to all the Cæsars what belongs to them. We do not remember that he anywhere calls Governor Robinson "the Saviour of Kansas"—a phrase which the partizans of Brown and Lane are fond of associating with their names. The burden of his contention is that, in the border troubles and during the Civil War, Robinson rendered great services to Kansas—a position not likely to be successfully assailed. In the prosecution of his task many of the chief events of Kansas history pass under review. If Professor Blackmar does not throw much new light upon the subject, he certainly contributes to it no fresh confusion. The narrative might have been made more effective by compression. At times it carries a burden of details which cloud its distinctness and contribute little in the way of compensation.

The most serious criticisms of Governor Robinson have been occasioned, not so much by what he did in the territorial days, as by what he said about them after they were past. The fact that he outlived John Brown thirty-five years and General Lane twenty-eight; that he had both the opportunity and the disposition to put his version of the border struggle before the public is thought by some to have given him an advantage over rivals in the award of honors. In the first place he is charged with introducing into Kansas history "the curious myth" that there were two well-defined parties in the territory, "the one wishing to carry its ends by war, the other by peace," where, as a matter of fact, no distinctively peace sentiment existed. Professor Blackmar in reply quotes from the address of Governor Stanton at the old settlers' meeting at Bismarck Grove in 1884 to the effect that on his arrival in Kansas he found the Free-State party divided in opinion—one faction advocating extreme measures and the other moderate. He might also have quoted from a remarkable speech which Lane delivered at Lawrence twenty-seven years earlier. The immediate occasion of that speech was President Buchanan's characterization of him in a message to Congress as a turbulent and dangerous border leader. Adroitly avoiding all discussion of his own personal record or that of the radicals he reviewed the course of the Free-State party and contended that from first to last its *policy* had been pacific. Or if Lane's testimony needed corroboration, Professor Blackmar might have reinforced it by that of John Brown, who in a speech delivered at Concord in the spring of 1857 assailed "the peace party" in Kansas—the party which "discountenanced violence."

The other point of criticism relates to "the Pottawatomie massacre." On the appearance of Townsley's confessions in 1881, Governor Robinson

publicly denounced the affair and in no very measured terms. Some three or four years afterwards a letter of his, written to the late Judge Hanway in 1878, came to light, in which he said that he never "had much doubt that Captain Brown was the author of the blow at Pottawatomie," because he was the only man who "comprehended the situation . . . and had the nerve to strike it." This letter, eagerly caught up by enemies of Governor Robinson, furnished them a convenient text for uncompromising discourse. His defense was that, when he wrote the letter, he did not know the facts—that he never fully understood the situation until Townsley's narrative was printed. In passing upon the validity of this defense we are to remember that, for reasons not particularly difficult to conjecture, the Free-State folk avoided looking too closely into the Pottawatomie transaction. They by no means neglected border-ruffian outrages; but here was another story in regard to which they, like the Republican members of the Congressional investigating committee of 1856, preferred the bliss of ignorance. Under the circumstances they were quite in the mood to believe that a desperate state of affairs, which demanded the most heroic measures, existed at Dutch Henry's Crossing. Townsley made his statement with reluctance. It was only after repeated and urgent solicitations that he consented to do it. The gentlemen to whom it was dictated—one of them a prominent Kansas lawyer and a well-equipped student of Kansas history—were deeply impressed with his intelligence and sincerity. When this statement, which dissipated the enveloping mass of rumors, surmises and perversions and disclosed the essential facts, was published, not only Governor Robinson but the friends of John Brown as well, changed their attitude in reference to the so-called "executions." The former shifted from apology to denunciation—the latter from negation to defense. In explanation all offer the plea of imperfect information. And we should certainly wish to hear counsel before allowing it in the one case and denying it in the other.

LEVERETT W. SPRING.

*Lee at Appomattox and Other Papers.* By CHARLES FRANCIS ADAMS. (Boston and New York: Houghton, Mifflin and Co. 1902. Pp. 387.)

THIS volume is made up of detached papers of very unequal length, not to say of unequal value,—a remark made not for invidious comparison, but only to notice a fact. Where all is good and valuable, discrimination and comparison are not of prime importance.

The title paper—"Lee at Appomattox"—has attracted most attention, but seems to the present writer to be of least value, and is of least length. Still it emphasizes strikingly what is perhaps the wisest act of Lee's career,—the determination, for himself as well as for his army, that the surrender at Appomattox should be the end of the war. It was an essentially bold determination, for Lee was not the commander-in-chief of the Confederate forces, but only the general in command of the army of Northern Virginia. Lee, however, knew his army